

Translation of the pertinent portions of a Notification Regarding the Forwarding of the  
International Preliminary Report on Patentability, mailed 05/23/2006

This report comprises a total of 10 pages including the cover sheet. The following are also enclosed with the report:

- a. a total of 18 pages (*mailed to the applicant and to the international office*), including  
pages with the specification, claims and/or drawings that have been changed and upon which this report is based, and/or pages with corrections that have been approved by the authority (see Rule 70.16 and Section 607 of the governmental regulations).

This report contains information regarding the following items:

Field I Basis of the Report

Field V Substantiated determination according to Article 35(2) with respect to novelty, inventive steps and industrial applicability; documents and explanations to support this determination

Field VI Specifically cited documents

## Field I Basis of the Report

1. With regard to **language**, the notification is based upon  
  
X the international application in the language in which it was filed.
2. With regard to **components** of the international application, the report is based upon  
*(replacement pages that have been presented to the application office in response to a request in accordance with Article 14, are considered within the framework of this report as "originally filed [submitted]" and are not enclosed):*

### Specification, pages

1-33 in the originally filed version

### Claims, No.

1-86 in the version amended in accordance with Article 19 (with an explanation where applicable)

### Drawings, pages

1/6-6/6 in the originally filed version

## Field V Substantiated determination in accordance with Article 35(2) with respect to novelty, inventive steps and industrial applicability; documents and explanations to support this determination

### 1. Determination

Novelty (N) Yes: Claims 1-86

No: Claims

Inventive Step (IS) Yes: Claims

No: Claims 1-86

Industrial Applicability (IA) Yes: Claims 1-86

No: Claims

### 2. Documents and Explanations (Rule 70.7):

**See attached sheet**

## Field VI Specifically Cited Documents

1. Specified published documents (Rule 70.10)

And/or

2. Non-written disclosures (Rule 70.9)

**See attached sheet**

**Re: Point V.**

1. Reference is made to the following documents:

- D1: DE 102 44 043 A1 (KOENIG & BAUER AG) 26 June 2003 (06/26/2003)
- D2: US-A-5 323 703 (BLASER ET AL) 28 June 1994 (06/28/1994)
- D3: US-A-6 098 542 (DUFOUR ET AL) 8 August 2000 (08/08/2000)
- D4: US-A-5 819 656 (GERTSCH ET AL) 13 October 1998 (1998/10/13)
- D5: US 2003/089254 A1 (REDER WOLFGANG OTTO ET AL) 15 May 2003 (05/15/2003)
- D6: US-A-3 131 631 (JR. LAWRENCE H. HASKIN,) 5 May 1964 (05/05/1964)
- D7: US-A-5 588 364 (BOLZA-SCHUENEMANN ET AL) 31 December 1996 (12/31/1996)
- D8: WO 2005/021264 A (MASCHINENFABRIK WIFAG; MIESCHER, ANDRES; ZAHND, ANDREAS) 10 March 2005 (03/10/2005)
- D9: DE 102 44 046 A1 (KOENIG & BAUER AG) 1 April 2004 (04/01/2004)
- D10: DE 102 61 983 A1 (KOENIG & BAUER AG) 8 April 2004 (04/08/2004)

2. INDEPENDENT CLAIM 1

2.1 The present application does not fulfill the requirements of Article 33(1) PCT, since the object of claim 1 is not based upon an inventive step as defined by Article 33(3) PCT.

2.2 Document D1 is considered to be the closest prior art for the object of claim 1. It discloses (references in parentheses refer to this document) in the drawings 8-10: A device for adjusting (abstract) contact pressure exerted by a roller in a roller strip on an adjacent rotational body ([0007]), and/or for engaging said roller on the rotational body and/or for disengaging said roller from the rotational body ([0007]), wherein the two ends of the same roller that is adjustable in terms of contact pressure and/or its position are each seated in a support bearing having a roller mount that is capable of radial travel (Figure 1), wherein each of these support bearings ([0063]) has at least one actuator (34, 56, 57, 83, 84, 93, 94) that acts upon the roller, wherein at least one actuator in a support bearing is controlled by a control unit (implicit in [0042], [0058], [0063], [0064]), separately and independently ([0009], [0064]) of an actuator (34) in another support bearing (implicit),

**wherein** the control unit (**implicit**) calculates the respective value (implicit in [0052], [0055]) of the contact pressure exerted by at least one of the rollers in at least one of the roller strips on its adjacent rotational body, from the relevant radial forces being exerted by actuators in the same support bearing and/or from at least a portion of the force of weight being exerted by the roller ([0052], [0055]).

2.3 The object of claim 1 thus differs from the prior art from D1 in that each roller strip is designated, wherein the value of the contact pressure in a roller strip that is selected using its **designator** code, can be changed via a **control element** of the control unit.

2.4 The object to be attained with the present invention can thus be viewed as improving the control of contact forces in the two roller strips.

2.5 The solution proposed in claim 1 of the present application cannot be viewed as inventive for the following reasons (Article 33(3) PCT):

Document D1 describes implicitly the characterizing feature of "control unit for calculating the contact forces and for controlling the contact pressure" in paragraph [0052] and thus discloses the same advantages as the present application. The characterizing feature "control element" is thus implicitly disclosed, since one of ordinary skill in the art would know that this characterizing feature of the control unit implicitly described in D1 is necessary to change the value of the contact forces.

In addition, one of ordinary skill in the art would view the incorporation of the characterizing feature "designator code" into the printing machine with devices for adjusting rollers specified in D1 as an obvious measure for achieving the stated objective.

### 3. INDEPENDENT CLAIM 80

3.1 The present application does not fulfill the requirements of Article 33(1) PCT, since the object of claim 80 is not based upon an inventive step as defined by Article 33(3) PCT.

3.2 Document D1 is considered to be the closest prior art for the object of claim 80. It discloses (references in parentheses refer to this document):  
a device for adjusting (abstract) contact pressure exerted by a roller in a roller strip on an adjacent rotational body ([0007]) and/or for engaging said roller on the rotational body and/or for disengaging said roller from the rotational body ([0007]), wherein the two ends of the same roller, the contact pressure of which can be adjusted and/or the position of which can be changed, are each seated in a support bearing having a roller mount that is capable of radial travel, wherein each of these support bearings ([0063]) has at least one actuator (34, 56, 57, 83, 84, 93, 94) that acts upon the roller, wherein at least one actuator in a support bearing is controlled by a control unit (implicit in [0042], [0058], [0063], [0064]), separately and independently ([0009], [0064]) of an actuator (34) in another support bearing (implicit),  
**wherein** each of these support bearings has multiple actuators that act on the roller, in a common housing.

3.3 The object of claim 80 thus differs from the prior art from D1 in that with the respective actuators in the respective support bearing, contact pressures that differ in terms of their value are set at **different ends** of the same roller, in that the actuators are **remotely activatable** via the control unit.

3.4 The object to be attained with the present invention can thus be viewed as a sequencing of two "partial tasks" (Guidelines C, IV, 9.8.2):

- to improve the control/adjustment of the contact pressures in the two roller strips,
- to improve the activation of the actuators.

3.5 The solution proposed in claim 80 of the present application cannot be viewed as inventive for the following reasons (Article 33(3) PCT):

In view of D1, the characterizing feature "different contact pressures with the respective actuators of the respective support bearing at **different ends** of the same roller" represents only one of several obvious possibilities from which one of ordinary skill in the art could choose, without inventive activity, on the basis of the circumstances of a specific case (a specific, uneven contact pressure along a rotational body), in order to achieve the first stated partial objective.

The characterizing feature "the actuators are **remotely activatable** via the control unit" represents only one of several obvious possibilities from which one of ordinary skill in the art could choose, without inventive activity, on the basis of specific circumstances, in order to achieve the second stated partial objective.

Claim 80 is directed at a "juxtapositioning/sequencing" of characterizing features and not at a true combination.

In addition, the independent claim 80 relates to a slight structural change in the printing machine with devices for adjusting rollers disclosed in document D1, which lies within the scope of that which one of ordinary skill in the art would be likely to do on the basis of common considerations, especially since the advantages achieved therewith (**enabling an improved control of contact pressures/contact forces**) can easily be foreseen. Consequently, the object of claim 80 also is not based upon an inventive step.

#### 4. INDEPENDENT CLAIM 82 (see Section 7.1)

4.1 The present application does not fulfill the requirements of Article 33(1) PCT, since the object of claim 82 is not based upon an inventive step as defined by Article 33(3) PCT.

4.2 Document D1 is considered to be the closest prior art for the object of claim 82. It discloses (references in parentheses refer to this document):  
a device for adjusting (abstract) contact pressure exerted by a roller in a roller strip on an adjacent rotational body ([0007]) and/or for engaging said roller on the rotational body and/or for disengaging said roller from the rotational body [(0007)], wherein the two ends of the same roller, the contact pressure of which can be adjusted and/or the position of which can be changed, are each seated in a support bearing having a roller mount that is capable of radial travel (Drawing 1), wherein each of these support bearings ([0063]) has at least one actuator (34, 56, 57, 83, 84, 93, 94) that acts upon the roller, wherein at least one actuator in a support bearing is controlled by a control unit (implicit in [0042], [0058], [0063], [0064]), separately and independently ([0009], [0064]) of an actuator (34) in another support bearing (implicit),  
**wherein** the rotational body is designed as a forme cylinder (02, 68).

4.3 The object of claim 82 thus differs from the prior art from D1 in that  
the actuators in support bearings that are connected to the same roller exert a **contact pressure that differs** in terms of its value at the two ends of this roller, on said roller's adjacent rotational body in the roller strip,  
in that the **contact pressure that differs** in its current value at the two ends of the roller is adjusted when the forme cylinder that can be covered in its axial direction with multiple printing formes is not evenly or completely covered with printing formes in its axial direction.

4.4 The object to be attained with the present invention can thus be viewed as improving the control/adjustment of the contact pressures/contact forces in the two roller strips,

4.5 The solution proposed in claim 82 of the present application cannot be viewed as inventive for the following reasons (Article 33(3) PCT):  
The characterizing feature of "a **contact pressure that differs** at both ends of a roller" represents only one of several obvious possibilities from which one of ordinary skill in the art could choose, without inventive activity, on the basis of circumstances of a specific case (a specific forme cylinder that can be covered unevenly or incompletely with multiple printing formes in its axial direction), in order to achieve the stated objective.

5. DEPENDENT CLAIMS 2-79, 81, 83-86 (see paragraph 6)

5.1 The dependent claims 2-79, 81, 83-86 appear to contain no additional characterizing features that, in combination with the characterizing features of any claim to which the above-named claims refer, could lead to an object that is based upon an inventive step. All of these characterizing features are known in the art or are a component of the prior art and have already been used for the same purpose (see the relevant citations from the International Search Report). Furthermore, these characterizing features relate only to structural embodiments that achieve independent objects, without any surprising effects resulting from their combination.

## 6. CLARITY

6.1 Although claims 80, 82 were formulated as separate, independent claims, they appear actually to refer to one and the same object and apparently differ from one another only in different definitions of the object for which protection is sought. For this reason the claims are not concisely worded, and they do not fulfill the requirements of Article 6 PCT.

6.2 As presented in the following, a number of the characterizing features (“...is adjusted **when** ...”) in the device claim 82 refer to a method for applying the device and not to the definition of the device on the basis of its technical features. The intended limitations thus do not clearly emerge from the claim, in contradiction to the requirements of Article 6 PCT.

6.4 [*numbering* sic] The claims that are dependent upon claim 82 do not fulfill the requirements of Article 6 PCT, since the object of the application for protection is not clearly defined. An attempt is made in the claims to define the object by its intended result, or to relate the characterizing features in the device claims to a method for applying the device; with this, however, only the object to be attained is indicated, without indicating the technical characterizing features necessary to achieve this result.

6.5 The term “and/or” used multiple times in the claims, especially in claims 1, 80, 82, 83, leaves the reader uncertain regarding the claimed object. The result of this is that the definition of the object of these claims is not clear (Article 6 PCT).